MINUTES

CASE NUMBER: CV 04-00671HG-LEK

CASE NAME: Raymond Ware vs. Michael Chertoff in his official capacity as Secretary of the Department of Homeland Security

ATTYS FOR PLA: Daphne E. Barbee, Esq.

ATTYS FOR DEFT: Thomas A. Helper, AUSA

JUDGE: Helen Gillmor   REPORTER: Stephen Platt

DATE: January 25, 2008   TIME: 2:00 - 2:35

COURT ACTION: FINAL PRETRIAL CONFERENCE -

DEFENDANT'S MOTION IN LIMINE REGARDING PERSONNEL DECISIONS OTHER THAN PLAINTIFF'S TERMINATION -

DEFENDANT'S MOTION IN LIMINE TO EXCLUDE WITNESSES NOT DISCLOSED BY PLAINTIFF DISCLOSED PRIOR TO DISCOVERY DEADLINE -

PLAINTIFF'S MOTION IN LIMINE NO. 1 - PROHIBITING THE DEFENDANT FROM PRESENTING HEARSAY EVIDENCE CONCERNING COMPLAINTS ABOUT WORK PERFORMANCE -

PLAINTIFF'S MOTION IN LIMINE NO. 2 - TO PROHIBIT TESTIMONY AT TRIAL CONCERNING THE GRANTING OF SUMMARY JUDGMENT PERTAINING TO THE RECERTIFICATION TEST AND TERMINATION FOR FAILURE OF THIS TEST -

PLAINTIFF'S MOTION IN LIMINE TO DISQUALIFY KENNETH KAMAHELE FROM AGENCY REPRESENTATIVE AT TRIAL -

Discussion held.

The Final Pretrial Conference and the hearing on

>Defendant's Motion in Limine Regarding Personnel Decisions Other Than Plaintiff's Termination (Doc. 136)

>Defendant's Motion in Limine to Exclude Witnesses Not Disclosed by Plaintiff Disclosed Prior to Discovery Deadline (Doc. 137)

>Plaintiff's Motion in Limine No. 1 - Prohibiting the Defendant from Presenting Hearsay Evidence Concerning Complaints about Work Performance (Doc. 138)

>Plaintiff's Motion in Limine No. 2 - To Prohibit Testimony at Trial Concerning the Granting of Summary Judgment Pertaining to the Recertification Test and Termination for Failure of this Test (Doc. 139)

>Plaintiff's Motion in Limine to Disqualify Kenneth Kamahele from Agency Representative at Trial (Doc. 140)

is **CONTINUED TO JANUARY 29, 2008 AT 10:00 A.M.**

Plaintiff shall file a written proffer by January 28, 2008 by 3:00 p.m. The defendant will have an opportunity to address Plaintiff's proffer at that time.

>Submitted by: Mary Rose Feria, Courtroom Manager